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Application **GRANTED**
DEC 03 2007

November 30, 2007

BY FAX: (212) 805-6304

Hon. Paul A. Crotty
United States Courthouse
500 Pearl St., Room 735
New York, NY 10007

SO ORDERED:

Paul A. Crotty
HON. PAUL A. CROTTY
UNITED STATES DISTRICT JUDGE

Re: Sanabria v. City of New York, et al., 07 CV 6425 (PAC)

Your Honor:

I am the Assistant Corporation Counsel representing defendant City of New York (the "City") in the referenced action. The City's answer in this case is due on December 17, 2007 pursuant to the Waiver of Service filed with the Court Clerk. We recently learned that defendant Police Officer "John" Castro was served with process in this action and his answer was due on November 29, 2007. This office has not spoke with Officer Castro about the manner of service and we make no representation as to the adequacy of process. Although this office does not currently represent this defendant, and assuming he was properly served, this office respectfully requests that his time to answer be extended to December 17, 2007 (the same date that the City's answer is due) in order that his defenses are not jeopardized while representational issues are being decided. See General Municipal Law § 50(k); Mercurio v. The City of New York, et al., 758 F.2d 862, 864-65 (2d Cir. 1985), Williams v. City of New York, et al., 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law).

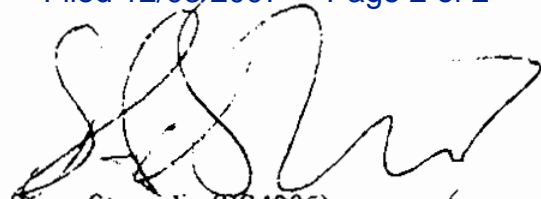
I have spoken to my adversary concerning this request and he does not object to the extension. An initial conference has not yet been scheduled in this matter. Accordingly, it respectfully requested that the Court extend Officer Castro's time to answer the complaint to December 19, 2007.

I thank the Court for its consideration to this request.

Respectfully submitted,

MEMO ENDORSED

MEMO ENDORSED

A handwritten signature in black ink, appearing to read 'S. Stavndis', is written over a circular stamp or seal.

Steve Stavndis (SS4005)
Special Federal Litigation Division

cc: Michael R. Scolnick, Esq. (By Fax: 845-365-1506)
Attorney for Plaintiffs